

## **REMARKS**

The present application relates to inbred maize line PH5DR. Claims 1-30 are pending in the present application. No new matter has been added by way of amendment. Applicant respectfully requests consideration of the claims in view of the following remarks.

### **Request for Information under 37 C.F.R. § 1.105**

The Examiner has made a Request for Information under 37 C.F.R. § 1.105. The Examiner states the requested information is "required to make a meaningful and complete search of the prior art". See Office Action, pp. 4-5.

Applicant provides answers to each of the Examiner's interrogatories discussed *infra*. Applicant notes that the information provided to the third and fourth interrogatories are only to *previously* publicly disclosed or sold parental maize lines or progeny therefrom as requested by the Examiner. Thus, Applicant asserts the interrogatories have been answered with respect to the Examiner's request for the information for prior art purposes. Applicant points out that the third interrogatory was specific to *previously* disclosed or made publicly available as this is relevant to the Examiner's prior art inquiry. Thus Applicant notes that the response to the fourth interrogatory is also answered with respect to maize lines produced by said method using said original parental maize lines which were *previously* publicly available or sold as this is relevant to the Examiner's request for prior art purposes as stated on page 4 of the Office Action.

The Examiner begins by asking firstly, what were the original parental maize lines used to produce maize inbred line PH5DR? PHHB9 and PH84A.

Secondly, what method and steps were used to produce maize inbred line PH5DR? Pedigree selection method produced by selfing for 5 generations.

Third, have any of said parental maize lines or progeny therefrom been disclosed or made publicly available?

a. The parental maize line PHHB9 was *previously* disclosed or made publicly available in PVP Certificate No. 9300108. The parental maize line PH84A has not been *previously* disclosed or made publicly available.

b. No other progeny of the parental cross PHHB9/PH84A was *previously* disclosed or made publicly available by Applicant prior to the earliest priority date.

Fourth, were any other maize lines produced by said method using said original parental maize lines, and if so, have said produced maize lines been publicly available or sold? If so, under what designation were said other maize lines disclosed or made publicly available? No maize line using the same F1 cross has been *previously* disclosed or made publicly available prior to the earliest priority date.

In light of the above remarks, Applicant respectfully requests reconsideration and compliance with the interrogatories under the Request for Information under 37 C.F.R. § 1.105.

### **Conclusion**

In conclusion, Applicant submits in light of the above amendments and remarks, the claims as amended are in a condition for allowance, and reconsideration is respectfully requested. If it is felt that it would aid in prosecution, the Examiner is invited to contact the undersigned at the number indicated to discuss any outstanding issues.

No other fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lila A. T. Akrad", written in a cursive style.

LILA A. T. AKRAD, Reg. No. 52,550  
McKEE, VOORHEES & SEASE, P.L.C.  
801 Grand Avenue, Suite 3200  
Des Moines, Iowa 50309-2721  
Phone No: (515) 288-3667  
Fax No: (515) 288-1338  
**CUSTOMER NO: 27142**

- LATA/bjh-

Attorneys of Record